

STATE GRAND JURY OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA

CASE NO. **2011GS 47 03**

V.

ANTHONY STROTHERS
BREON STROTHERS
J'QUAYL FRAZIER
DELARRION CLYBURN
CODY JOHNSON
SARIKKIO INGRAM
DEQUAVIOUS MACKEY
JAQUAVIOUS PEAY
FABIAN MCCULLOUGH
KEVENTA STEVENSON
BRESHAWN REED
YOLANDA CASKEY
SHAWN MEDLEY
SWADREY MACKEY
TYQWAN WRIGHT

**INDICTMENT FOR
CRIMINAL GANGS**

ORIGINAL FILED

OCT 12 2011

Criminal Conspiracy
Common Law
(1 count)

JAMES R. PARKS
CLERK, STATE GRAND JURY

Attempted Murder
S.C. Code Ann. § 16-3-29
(1 count)

Accessory After the Fact to Attempted
Murder
S.C. Code Ann § 16-1-55
(2 count)

Burglary 1st Degree
S.C. Code Ann § 16-11-311
(1 count)

Accessory After the Fact to Burglary 1st
Degree
S.C. Code Ann. §16-11-330 (A)
(2 counts)

Receiving Stolen Goods
S.C. Code Ann. §16-13-180(2)
(1 count)

Armed Robbery
S.C. Code Ann. § 16-11-330(A)
(4 counts)

Attempted Armed Robbery
(1 Count)

Accessory After the Fact to Armed Robbery
S.C. Code Ann. § 16-1-55
(1 count)

Possession of a weapon during violent crime
S.C. Code Ann. §16-23-490
(4 counts)

Soliciting a Person to Participate in Criminal
Gang Activity
S.C. Code Ann. §16-8-240(A)
(3 count)

At a session of the State Grand Jury of South Carolina, convened in Columbia,
South Carolina on June 22, 2010, the State Grand Jurors present upon their oath:

COUNT ONE
CRIMINAL CONSPIRACY
S.C. Code Ann. §16-17-410

That ANTHONY STROTHERS, BREON STROTHERS, J'QUAYL FRAZIER,
DELARRION CLYBURN, CODY JOHSON, SARIKKIO INGRAM, DEQUAVIOUS
MACKEY, JAQUAVIOUS PEAY, FABIAN MCCULLOUGH, KEVENTA
STEVENSON, BRESHAWN REED, YOLANDA CASKEY, SHAWN MEDLEY,
SWADREY MACKEY, TQWAN WRIGHT, and other persons whose names are both
known and unknown to the State Grand Jury as members of a criminal gang as defined by
§16-8-230(2) did in Lancaster and Kershaw counties, South Carolina, from on or about
January 1, 2007 until the present, willfully and knowingly combine with one or more
persons for the purpose of accomplishing an unlawful object or lawful object by unlawful
means. To wit: As members of "AMNR", a criminal street gang, ANTHONY
STROTHERS, BREON STROTHERS, J'QUAYL FRAZIER,

DELARRION CLYBURN, CODY JOHNSON, SARIKKIO INGRAM, DEQUAVIOUS
MACKEY, JAQUAVIOUS PEAY, FABIAN MCCULLOUGH, KEVENTA
STEVENSON, BRESHAWN REED, YOLANDA CASKEY, SHAWN MEDLEY,
SWADREY MACKEY, TQWAN WRIGHT, combined with one or more persons for the
purpose of accomplishing unlawful objects, including, but not limited to ATTEMPTED
MURDER, ARMED ROBBERY, BURGLARY 1st DEGREE, POSSESSION OF A
WEAPON DURING A CRIME OF VIOLENCE, and RECEIVING STOLEN GOODS in
direct violation of Section 16-17-410 of the South Carolina Code of Laws (1976) as
amended. Such conduct arising out of, or involving, a criminal gang or a pattern of
criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South
Carolina Code of Laws as amended.

COUNT TWO
ATTEMPTED MURDER
S.C. Code Ann. §16-3-29

That CODY JOHNSON did in Lancaster County on or about January 19, 2011,
with the intent to kill, attempt to kill another with malice aforethought. To wit: Cody
Johnson did shoot at and hit Lamar Twitty, in direct violation of Section 16-3-29, of the
South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or
involving, a criminal gang or a pattern of criminal gang activity pursuant to the
provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT THREE
ACCESSORY AFTER THE FACT TO ATTEMPTED MURDER
S.C. Code Ann. §16-1-55

That SHAWN MEDLEY and FABIAN MCCULLOUGH, did in Lancaster County from January 19, 2011 through January 20, 2011, after knowing that a felony was committed by Cody Johnson, harbor and/or assist Cody Johnson. To wit: SHAWN MEDLEY and FABIAN MCCULLOUGH did harbor and/or assist Cody Johnson by stashing and concealing the gun used by Cody Johnson in the shooting of Lamar Twitty that occurred on January 19, 2011. This being in direct violation of Section 16-1-55 of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT FOUR
ACCESSORY AFTER THE FACT TO ATTEMPTED MURDER
S.C. Code Ann. §16-1-55

That BREON STROTHERS, did in Lancaster County on or about January 19, 2011 through January 20, 2011, after knowing that a felony was committed by Cody Johnson, harbor and/or assist Cody Johnson. To wit: Breon Strothers did harbor and/or assist Cody Johnson by advising and directing Cody Johnson to hide the gun used by Cody Johnson in the shooting of Lamar Twitty that occurred on January 19, 2011. This being in direct violation of Section 16-1-55 of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT FIVE
BURGLARY 1ST DEGREE
S.C. Code Ann. §16-1~~3~~-311 (A)
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That DELARRION CLYBURN, J'QUAYL FRAZIER, and DeQUAVIOUS MACKEY did in Kershaw County on or about June 7, 2011, willfully and intentionally enter a dwelling without consent with the intent to commit a crime therein and were armed with a firearm and/or deadly weapon upon entry or during immediate flight. To wit: DELARRION CLYBURN, J'QUAYL FRAZIER, and DeQUAVIOUS MACKEY did break into the home of Wofford Perry, 2367 Anns Loop, Liberty Hill, South Carolina, did steal firearms and other properties, and did leave the dwelling armed with a deadly weapon. This is in direct violation of South Carolina Code of Laws § 16-1³~~3~~-311, 1976, as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT SIX
ACCESSORY AFTER THE FACT TO BURGLARY 1ST DEGREE
S.C. Code Ann. §16-1-55

That BREON STROTHERS, did in Lancaster County on or about June 7, 2011 after knowing that a felony was committed by DELARRION CLYBURN, J'QUAYL FRAZIER, and DeQUAVIOUS MACKEY, harbor and/or assist these individuals. To wit: Breon Strothers did harbor and/or assist the above listed individuals by stashing and disposing of the firearms removed during the Burglary that occurred at 2367 Anns Loop, Liberty Hill, South Carolina on June 7, 2011. This being in direct violation of Section 16-1-55 of the South Carolina Code of Laws (1976) as amended. Such conduct arising

out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT SEVEN
ACCESSORY AFTER THE FACT TO BURGLARY 1ST DEGREE
S.C. Code Ann. §16-1-55

That ANTHONY STROTHERS, did in Lancaster County on or about June 7, 2011, after knowing that a felony was committed by DELARRION CLYBURN, J'QUAYL FRAZIER, and DeQUAVIOUS MACKEY, harbor and/or assist these individuals. To wit: Anthony Strothers did harbor and/or assist the listed individuals by advising and instructing them to hide the firearms removed during the Burglary that occurred at 2367 Anns Loop, Liberty Hill, South Carolina on June 7, 2011 and by issuing an order for silence to each individual involved in the Burglary. This being in direct violation of Section 16-1-55 of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT EIGHT
RECEIVING STOLEN GOODS
S.C. Code Ann. §16-13-180(2)

That BRESHAWN REED, did in Lancaster County on or about June 7, 2011 through June 8, 2011, buy, receive, or possess stolen goods, chattels, or other property that he knew or had reason to know were stolen. To wit: Breshawn Reed did take possession of a computer which he knew or should have known was stolen and the said

computer had a value of greater than \$1,000 but less than \$5,000. This being in direct violation of Section 16-13-180(2) of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT NINE
ARMED ROBBERY
S.C. Code Ann. §16-11-330(A)

That CODY JOHNSON, J'QUAYL FRAZIER and JAQUAVIOUS PEAY did in Lancaster County, South Carolina, on or about December 13, 2010, commit a robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging, either by action or words, they were armed or while using a representation of a deadly weapon or any object which a person present during the commission of robbery reasonably believed to be a deadly weapon. To wit: Cody Johnson, J'Quayl Frazier, and Jaquavious Peay while possessing a firearm, did feloniously take from the person or presence of Mike Patel, (AM/PM Store) 1553 Lynnwood Drive, Lancaster South Carolina, by means of force, violence, and/or intimidation, goods or monies, with intent to deprive the owner permanently of such property, in violation of Section 16-11-330 (A), Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended

COUNT TEN
ACCESSORY AFTER THE FACT TO ARMED ROBBERY
S.C. Code Ann. §16-1-55

That YOLANDA CASKEY, did in Lancaster County on or about Decemeber 13, 2010, after knowing that a felony was committed by CODY JOHNSON, harbor and/or assist this individual. To wit: YOLANDA CASKEY did harbor and/or assist the above listed individual by traveling to the location of the Armed Robbery, the AM/PM Store, and driving away Cody Johnson after he and codefendants committed the Armed Robbery. This being in direct violation of Section 16-1-55 of the South Carolina Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT ELEVEN
ARMED ROBBERY
S.C. Code Ann. §16-11-330(A)

That CODY JOHNSON, J'QUAYL FRAZIER and SARRIKIO INGRAM did in Lancaster County, South Carolina, on or about November 19, 2010, commit a robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging, either by action or words, they were armed or while using a representation of a deadly weapon or any object which a person present during the commission of robbery reasonably believed to be a deadly weapon. To wit: Cody Johnson, J'quayl Frazier, and Sarrikio Ingram, while possessing a firearm, did feloniously take from the person or presence of Shelah Denise Davis, Westgate Exxon,

1101 West Meeting Street, Lancaster South Carolina by means of force, violence, and/or intimidation, goods or monies, with intent to deprive the owner permanently of such property, in violation of Section 16-11-330 (A), Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT TWELVE
ARMED ROBBERY
S.C. Code Ann. §16-11-330(A)

That CODY JOHNSON, J'QUAYL FRAZIER, and YOLANDA CASKEY did in Lancaster County, South Carolina, on or about November 29, 2010, commit a robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging, either by action or words, they were armed or while using a representation of a deadly weapon or any object which a person present during the commission of robbery reasonably believed to be a deadly weapon. To wit: Cody Johnson, J'Quayl Frazier, and Yolanda Caskey while possessing a firearm, did feloniously take from the person or presence of Natubhai Patel, Pantry Pack 2014 Lynnwood Drive, Lancaster South Carolina by means of force, violence, and/or intimidation, goods or monies, with intent to deprive the owner permanently of such property, in violation of Section 16-11-330 (A), Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT THIRTEEN
ARMED ROBBERY
S.C. Code Ann. §16-11-330(A)

That J'QUAYL FRAZIER, FABIAN MCCULLOUGH, and TYQUAN WRIGHT did in Lancaster County, South Carolina, on or about January 11, 2010, commit a robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging, either by action or words, they were armed or while using a representation of a deadly weapon or any object which a person present during the commission of robbery reasonably believed to be a deadly weapon. To wit: J'Quayl Frazier, Fabian Mccullough, and Tyquan Wright, while possessing a firearm, did feloniously take from the person or presence of Sihwa Moon, Midway Grocery, 426 West Meeting Street, Lancaster South Carolina, by means of force, violence, and/or intimidation, goods or monies, with intent to deprive the owner permanently of such property, in violation of Section 16-11-330 (A), Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT FOURTEEN
ATTEMPTED ARMED ROBBERY
S.C. Code Ann. §16-11-330(B)

That CODY JOHNSON did in Lancaster County on or about December 15, 2010, attempt to commit a robbery while armed with a pistol, dirk, slingshot, metal knuckles, razor, or other deadly weapon, or while alleging, either by action or words, they were armed or while using a representation of a deadly weapon or any object which a person present during the commission of robbery reasonably believed to be a deadly weapon. To wit: Cody Johnson, while possessing a firearm, did attempt to feloniously take from the person or presence of Jackie and Jason Moon, owners of Midway Grocery, by means of force, violence, and/or intimidation, goods or monies, with intent to deprive the owner permanently of such property, in violation of Section 16-11-330 (B), Code of Laws (1976) as amended. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT FIFTEEN
POSSESSION OF A WEAPON DURING VIOLENT CRIME
S.C. Code Ann. §16-23-490

That CODY JOHNSON, J'QUAYL FRAZIER, and YOLANDA CASKEY did in Lancaster County, South Carolina, on or about November 29, 2010 possess or visibly display a firearm during the commission or attempted commission of a violent crime. To wit, Cody Johnson, J'Quayl Frazier, Yolanda Caskey did possess or visibly display a

firearm during the commission of a Armed Robbery, in violation of Code §16-23-490. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT SIXTEEN
POSSESSION OF A WEAPON DURING VIOLENT CRIME
S.C. Code Ann. §16-23-490

That J'QUAYL FRAZIER, FABIAN MCCULLOUGH, and TYQUAN WRIGHT did in Lancaster County, South Carolina, on or about January 11, 2010, possess or visibly display a firearm during the commission or attempted commission of a violent crime. To-wit, J'Quayl Frazier, Fabian Mccullough, and Tyquan Wright did possess or visibly display a firearm during the commission of a Armed Robbery, in violation of Code §16-23-490. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT SEVENTEEN
POSSESSION OF A WEAPON DURING VIOLENT CRIME
S.C. Code Ann. §16-23-490

That CODY JOHNSON, J'QUAYL FRAZIER, and SARRIKIO INGRAM did in Lancaster County, South Carolina, on or about November 19, 2010, possess or visibly display a firearm during the commission or attempted commission of a violent crime. To-wit, Cody Johnson, J'Quayl Frazier, Sarrikio Ingram did possess or visibly display a firearm during the commission of a Armed Robbery, in violation of Code §16-23-490.

Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT EIGHTEEN
POSSESSION OF A WEAPON DURING VIOLENT CRIME
S.C. Code Ann. §16-23-490

That CODY JOHNSON, J'QUAYL FRAZIER, JAQUAVIOUS PEAY did in Lancaster County, South Carolina, on or about December 13, 2010, possess or visibly display a firearm during the commission or attempted commission of a violent crime. To-wit, Cody Johnson, J'Quayl Frazier, and Jaquavious Peay did possess or visibly display a firearm during the commission of a Armed Robbery, in violation of Code §16-23-490. Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT NINETEEN
SOLICITING A PERSON TO PARTICIPATE IN CRIMINAL GANG ACTIVITY
S.C. Code Ann. §16-8-240 (A)

That BREON STROTHERS who is a member of a criminal gang as defined by §16-8-230(2), did in Lancaster County, South Carolina, from on or about January 1, 2008 until the present, knowingly use, or threaten to use, physical violence against another person with the intent to coerce, induce, or solicit that person or another person to actively participate in criminal gang activity, or to prevent another criminal gang member

from withdrawing from or leaving a criminal gang in violation of Section 16-8-240 (A), Code of Laws of South Carolina (1976), as amended. To wit: Breon Strothers did knowingly use or threaten to use physical violence upon J'Quayl Frazier in an effort to coerce, induce or solicit him into actively participating in AMNR, a criminal gang as defined by §16-8-230(2). Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

COUNT TWENTY
SOLICITING A PERSON TO PARTICIPATE IN CRIMINAL GANG ACTIVITY
S.C. Code Ann. §16-8-240 (A)

That ANTHONY STROTHERS who is a member of a criminal gang as defined by §16-8-230(2), did in Lancaster County, South Carolina, from on or about January 1, 2008 until the present, knowingly use, or threaten to use, physical violence against another person with the intent to coerce, induce, or solicit that person or another person to actively participate in criminal gang activity, or to prevent another criminal gang member from withdrawing from or leaving a criminal gang in violation of Section 16-8-240 (A), Code of Laws of South Carolina (1976), as amended. To wit: Anthony Strothers did knowingly use or threaten to use physical violence upon J'Quayl Frazier, Kevante Stevenson, and Dequavious Mackey in an effort to coerce, induce or solicit him into actively participating in AMNR, a criminal gang as defined by §16-8-230(2). Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended

COUNT TWENTY-ONE
SOLICITING A PERSON TO PARTICIPATE IN CRIMINAL GANG ACTIVITY
S.C. Code Ann. §16-8-240 (A)

That SWADREY MACKEY who is a member of a criminal gang as defined by §16-8-230(2), did in Lancaster County, South Carolina, from on or about January 1, 2008 until the present, knowingly use, or threaten to use, physical violence against another person with the intent to coerce, induce, or solicit that person or another person to actively participate in criminal gang activity, or to prevent another criminal gang member from withdrawing from or leaving a criminal gang in violation of Section 16-8-240 (A), Code of Laws of South Carolina (1976), as amended. To wit: Swadrey Mackey did knowingly use or threaten to use physical violence upon J'Quayl Fraizer, Dequavious Mackey, J'Quayl Frazier in an effort to coerce, induce or solicit him into actively participating in AMNR, a criminal gang as defined by §16-8-230(2). Such conduct arising out of, or involving, a criminal gang or a pattern of criminal gang activity pursuant to the provisions of Section 14-7-1630(A)(2) of the South Carolina Code of Laws as amended.

A True Bill

Michael E. Earnheart
FOREMAN

Alan Wilson
ALAN WILSON (cng)
ATTORNEY GENERAL